

**Insurance Department
Review Requirements Checklist
Boiler & Machinery
(27)**

| REVIEW REQUIREMENTS | REFERENCE | COMMENTS |
|--|-----------------------------|---|
| FORMS | | |
| Applications | | |
| Incorporated by reference | 31A-21-106 – Bulletin 96-7 | Except as provided in this subsection an insurance policy may not contain any agreement or incorporate any provision not fully set forth in the policy, in an application, or other document at the time of delivery. |
| Arbitration | | |
| Permissible Arbitration | R590-122 – Bulletin 96-7 | Policies that contain a binding arbitration provision are permitted, however mandatory binding arbitration may preempt an insured's access to some courts. See actual rule for disclosure statement |
| Bankruptcy Provision | | |
| Provision of liability insurance | 31A-22-201 | Every liability insurance policy shall provide that the bankruptcy or insolvency of the insured may not diminish any liability of the insurer to third parties, and that if execution against the insured is returned unsatisfied, an action may be maintained against the insurer to the extent that the liability is covered by the policy. |
| Cancellation & Non-renewal | | |
| Terminations of insurance policies by insurers (Cancellations) | 31A-21-303 – Bulletin 96-7 | Non payment cancels need 10 days notice after delivery, Cancellation for acceptable grounds (see code for breakdown) need 30 days notice after delivery, Cancellation in the 1 st 60 days need a 10 day notice after delivery. |
| Terminations of insurance policies by insurers (Non-Renewals) | 31A-21-303 – Bulletin 96-7 | Non-renewal notices need 30 days notice, Renewals need no more than 45 days but no less than 14 days prior to the due date of the renewal premium (see code for requirements). If insurer offers or purports to renew the policy, but on less favorable terms or at higher rates, the new terms or rates take effect on the renewal date when sent by first-class mail at least 30 days prior to expiration. |
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| Filing Standards | | |
| Filing of forms | 31A-21-201- Rule R590-225 | File and Use – Forms cannot be inequitable, unfairly discriminatory, misleading, deceptive, obscure, unfair, encourages misrepresentation, or not in the public interest |
| Policies, applications & certificates | 31A-21-101 | (a) Delivered or issued for delivery in this state; (b) on property ordinarily located in this state; (c) on persons residing in this state when the policy is issued; and (d) on business operations in this state. |
| Punitive Damages | | |
| U/W limitations | 31A-20-101 – Bulletin 96-7 | No insurer may insure or attempt to insure against punitive damages. |
| Loss Settlement | | |
| Unfair claim settlement practices | 31A-26-303 | No insurer or person representing an insurer may engage in any unfair claim settlement practice. Claim settlement practices may not be misleading, deceptive, unfairly discriminatory, overreaching, or an unreasonable restraint on competition (see code for detailed unfair practices) |
| Notice and proof of loss | 31A-22-203, Bulletin 87-6 | This statutory provision, in effect, allows unlimited time period for filing notice and /or proof of loss – as long as the claimant shows it was not reasonably possible to file the notice and/or proof of loss within the time period. |
| Unfair Property, Liability & Title Claims Settlement | R590-190 | Minimum standards for the investigation and disposition of property, liability and title claims arising under contracts or certificates issued to residents of the State of Utah |
| RATING | | |
| Pricing | | |
| Rate Standards | 31A-19a-201, 31A-19a-202 | Rates may not be excessive, inadequate, or unfairly discriminatory |
| Rate filings | 31A-19a-203 - Rule R590-225 | All rates, all supplementary information, and all changes in amendments to rates and supplementary information must be filed within 30 days of the date you start using them. |
| Rating Plan Requirements | | |
| Rate modification plan rule | R590-121- Bulletin 96-7 | Establishes a maximum, total modification for any rating plans that fit the rules – to a +/- 25%. No exceptions |
| Policy Rating Principles | R590-127- Bulletin 96-7 | Experience Rating Plans, Rate Modification Plans, Schedule rating, Irpm plans, and Similar Plans Providing for Ranges of Rates, Tiered Rating, Unfair Discrimination, see Rule/Bulletin for details |
| Tiered Rating | 31A-19a-214 | Tier Rating is permitted in Utah. However, we require the filing of the underwriting guidelines, which specify the criteria for placing a risk in a given tier. We also require actuarial data justifying the different tiers either by differences in expected losses and/or differences in expenses. This information is required to permit the department to determine that the tiers are not unfairly discriminatory. |
| Terrorism | | |
| Filings procedures for Terrorism forms, rates, and rules | Bulletin 2003-2 | Voluntary expedited filing procedures for compliance with the provisions of the terrorism risk insurance act of 2002. |
| General Filing References | | |

**Insurance Department
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| Frequent problems found in filings | Bulletin 96-7 | See Bulletin |
| Claims made | Bulletin 86-5 | See Bulletin |
| Procedures for the submission of property and casualty Rate, Rule and Form filings | Rule R590-225 | See Rule |

**Crime
(26)**

| REVIEW REQUIREMENTS | REFERENCE | COMMENTS |
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| FORMS | | |
| Applications | | |
| Incorporated by reference | 31A-21-106 | Except as provided in this subsection an insurance policy may not contain any agreement or incorporate any provision not fully set forth in the policy, in an application, or other document at the time of delivery |
| Arbitration | | |
| Binding | R590-122 – Bulletin 96-7 | Policies that contain a binding arbitration provision are permitted, however mandatory binding arbitration may preempt an insured's access to some courts. See actual rule for disclosure statement |
| Bankruptcy Provision | | |
| Provision of liability insurance | 31A-22-201 | Every liability insurance policy shall provide that the bankruptcy or insolvency of the insured may not diminish any liability of the insurer to third parties, and that if execution against the insured is returned unsatisfied, an action may be maintained against the insurer to the extent that the liability is covered by the policy. |
| Cancellation & Non-renewal | | |
| Terminations of insurance policies by insurers (Cancellations) | 31A-21-303 – Bulletin 96-7 | Non payment cancels need 10 days notice after delivery, Cancellation for acceptable grounds (see code for breakdown) need 30 days notice after delivery, Cancellation in the 1 st 60 days need a 10 day notice after delivery. |
| Filing Standards | | |
| Filing of forms | 31A-21-201- Rule R590-225 | File and Use – Forms cannot be inequitable, unfairly discriminatory, misleading, deceptive, obscure, unfair, encourages misrepresentation, or not in the public interest |
| Policies, applications & certificates | 31A-21-101 | (a) Delivered or issued for delivery in this state; (b) on property ordinarily located in this state; (c) on persons residing in this state when the policy is issued; and (d) on business operations in this state. |
| Punitive Damages | | |
| U/W limitations | 31A-20-101 – Bulletin 96-7 | A-No insurer may insure or attempt to insure against punitive damages. B-the penal consequences of a crime. |
| Loss Settlement | | |
| Unfair claim settlement practices | 31A-26-303 | No insurer or person representing an insurer may engage in any unfair claim settlement practice. Claim settlement practices may not be misleading, deceptive, unfairly discriminatory, overreaching, or an unreasonable restraint on competition (see code for detailed unfair practices) |
| Notice and proof of loss | 31A-22-203, Bulletin 87-6 | This statutory provision, in effect, allows unlimited time period for filing notice and /or proof of loss – as long as the claimant shows it was not reasonably possible to file the notice and/or proof of loss within the time period. |
| Unfair Property, Liability & Title Claims Settlement | R590-190 | Minimum standards for the investigation and disposition of property, liability and title claims arising under contracts or certificates issued to residents of the State of Utah |
| RATING | | |
| Pricing | | |
| Rate Standards | 31A-19a-201, 31A-19a-202 | Rates may not be excessive, inadequate, or unfairly discriminatory |
| Rate filings | 31A-19a-203 - Rule R590-225 | All rates, all supplementary information, and all changes in amendments to rates and supplementary information must be filed within 30 days of the date you start using them. |
| Rating Plan Requirements | | |
| Rate modification plan rule | R590-121- Bulletin 96-7 | Establishes a maximum, total modification for any rating plans that fit the rules – to a +/- 25%. No exceptions |
| Policy Rating Principles | R590-127- Bulletin 96-7 | Experience Rating Plans, Rate Modification Plans, Schedule rating, Irpm plans, and Similar Plans Providing for Ranges of Rates, Tiered Rating, Unfair Discrimination, see Rule/Bulletin for details |
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| Frequent problems found in filings | Bulletin 96-7 | See Bulletin |
| Claims made | Bulletin 86-5 | See Bulletin |
| Procedures for the submission of property and casualty Rate, Rule and Form filings | Rule R590-225 | See Rule |

**Commercial Inland Marine
(9)**

| REVIEW REQUIREMENTS | REFERENCE | COMMENTS |
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| FORMS | | |
| Applications | | |
| Incorporated by reference | 31A-21-106 | Except as provided in this subsection an insurance policy may not contain any agreement or incorporate any provision not fully set forth in the policy, in an application, or other document at the time of delivery |
| Arbitration | | |
| Binding | R590-122 – Bulletin 96-7 | Policies that contain a binding arbitration provision are permitted, however mandatory binding arbitration may preempt an insured's access to some courts. See actual rule for disclosure statement |
| Bankruptcy Provision | | |
| Provision of liability insurance | 31A-22-201 | Every liability insurance policy shall provide that the bankruptcy or insolvency of the insured may not diminish any liability of the insurer to third parties, and that if execution against the insured is returned unsatisfied, an action may be maintained against the insurer to the extent that the liability is covered by the policy. |
| Cancellation & Non-renewal | | |
| Terminations of insurance policies by insurers (Cancellations) | 31A-21-303 – Bulletin 96-7 | Non payment cancels need 10 days notice after delivery, Cancellation for acceptable grounds (see code for breakdown) need 30 days notice after delivery, Cancellation in the 1 st 60 days need a 10 day notice after delivery. |
| Terminations of insurance policies by insurers (Non-Renewals) | 31A-21-303 – Bulletin 96-7 | Non-renewal notices need 30 days notice, Renewals need no more than 45 days but no less than 14 days prior to the due date of the renewal premium (see code for requirements). If insurer offers or purports to renew the policy, but on less favorable terms or at higher rates, the new term or rates take effect on the renewal date when sent by first-class mail at least 30 days prior to expiration. |
| Filing Standards | | |
| Filing of forms | 31A-21-201- Rule R590-225 | File and Use – Forms cannot be inequitable, unfairly discriminatory, misleading, deceptive, obscure, unfair, encourages misrepresentation, or not in the public interest |
| Policies, applications & certificates | 31A-21-101 | (a) Delivered or issued for delivery in this state; (b) on property ordinarily located in this state; (c) on persons residing in this state when the policy is issued; and (d) on business operations in this state. |
| Punitive Damages | | |
| U/W limitations | 31A-20-101– Bulletin 96-7 | No insurer may insure or attempt to insure against punitive damages. |
| Loss Settlement | | |
| Unfair claim settlement practices | 31A-26-303 | No insurer or person representing an insurer may engage in any unfair claim settlement practice. Claim settlement practices may not be misleading, deceptive, unfairly discriminatory, overreaching, or an unreasonable restraint on competition (see code for detailed unfair practices) |
| Notice and proof of loss | 31A-22-203, Bulletin 87-6 | This statutory provision, in effect, allows unlimited time period for filing notice and /or proof of loss – as long as the claimant shows it was not reasonably possible to file the notice and/or proof of loss within the time period. |
| Unfair Property, Liability & Title Claims Settlement | R590-190 | Minimum standards for the investigation and disposition of property, liability and title claims arising under contracts or certificates issued to residents of the State of Utah |
| RATING | | |
| Pricing | | |
| Rate Standards | 31A-19a-201, 31A-19a-202 | Rates may not be excessive, inadequate, or unfairly discriminatory |
| Rate filings | 31A-19a-203(5) | Exempt from filing |
| Rating Plan Requirements | | |
| Rate modification plan rule | R590-121- Bulletin 96-7 | Establishes a maximum, total modification for any rating plans that fit the rules – to a +/- 25%. No exceptions |
| Policy Rating Principles | R590-127- Bulletin 96-7 | Experience Rating Plans, Rate Modification Plans, Schedule rating, Irpm plans, and Similar Plans Providing for Ranges of Rates, Tiered Rating, Unfair Discrimination, see Rule/Bulletin for details |
| Tiered Rating | 31A-19a-214 | Tier Rating is permitted in Utah. However, we require the filing of the underwriting guidelines, which specify the criteria for placing a risk in a given tier. We also require actuarial data justifying the different tiers either by differences in expected losses and/or differences in expenses. This information is required to permit the department to determine that the tiers are not unfairly discriminatory. |
| Terrorism | | |

**Insurance Department
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| Filings procedures for Terrorism forms, rates, and rules | Bulletin 2003-2 | Voluntary expedited filing procedures for compliance with the provisions of the terrorism risk insurance act of 2002. |
| General Filing References | | |
| Frequent problems found in filings | Bulletin 96-7 | See Bulletin |
| Claims made | Bulletin 86-5 | See Bulletin |
| Procedures for the submission of property and casualty Rate, Rule and Form filings | Rule R590-225 | See Rule |

**Commercial General Liability
(17)**

| REVIEW REQUIREMENTS | REFERENCE | COMMENTS |
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| FORMS | | |
| Applications | | |
| Incorporated by reference | 31A-21-106 | Except as provided in this subsection an insurance policy may not contain any agreement or incorporate any provision not fully set forth in the policy, in an application, or other document at the time of delivery |
| Arbitration | | |
| Binding | R590-122 – Bulletin 96-7 | Policies that contain a binding arbitration provision are permitted, however mandatory binding arbitration may preempt an insured's access to some courts. See actual rule for disclosure statement |
| Bankruptcy Provision | | |
| Provision of liability insurance | 31A-22-201 | Every liability insurance policy shall provide that the bankruptcy or insolvency of the insured may not diminish any liability of the insurer to third parties, and that if execution against the insured is returned unsatisfied, an action may be maintained against the insurer to the extent that the liability is covered by the policy. |
| Cancellation & Non-renewal | | |
| Terminations of insurance policies by insurers (Cancellations) | 31A-21-303 – Bulletin 96-7 | Non payment cancels need 10 days notice after delivery, Cancellation for acceptable grounds (see code for breakdown) need 30 days notice after delivery, Cancellation in the 1 st 60 days need a 10 day notice after delivery. |
| Terminations of insurance policies by insurers (Non-Renewals) | 31A-21-303 – Bulletin 96-7 | Non-renewal notices need 30 days notice, Renewals need no more than 45 days but no less than 14 days prior to the due date of the renewal premium (see code for requirements). If insurer offers or purports to renew the policy, but on less favorable terms or at higher rates, the new term or rates take effect on the renewal date when sent by first-class mail at least 30 days prior to expiration. |
| Filing Standards | | |
| Filing of forms | 31A-21-201- Rule R590-225 | File and Use – Forms cannot be inequitable, unfairly discriminatory, misleading, deceptive, obscure, unfair, encourages misrepresentation, or not in the public interest |
| Policies, applications & certificates | 31A-21-101 | (a) Delivered or issued for delivery in this state; (b) on property ordinarily located in this state: (c) on persons residing in this state when the policy is issued; and (d) on business operations in this state. |
| Punitive Damages | | |
| U/W limitations | 31A-20-101– Bulletin 96-7 | No insurer may insure or attempt to insure against punitive damages. |
| Loss Settlement | | |
| Unfair claim settlement practices | 31A-26-303 | No insurer or person representing an insurer may engage in any unfair claim settlement practice. Claim settlement practices may not be misleading, deceptive, unfairly discriminatory, overreaching, or an unreasonable restraint on competition (see code for detailed unfair practices) |
| Notice and proof of loss | 31A-22-203, Bulletin 87-6 | This statutory provision, in effect, allows unlimited time period for filing notice and /or proof of loss – as long as the claimant shows it was not reasonably possible to file the notice and/or proof of loss within the time period. |
| Unfair Property, Liability & Title Claims Settlement | R590-190 | Minimum standards for the investigation and disposition of property, liability and title claims arising under contracts or certificates issued to residents of the State of Utah |
| RATING | | |
| Pricing | | |
| Rate Standards | 31A-19a-201, 31A-19a-202 | Rates may not be excessive, inadequate, or unfairly discriminatory |
| Rate filings | 31A-19a-203 - Rule R590-225 | All rates, all supplementary information, and all changes in amendments to rates and supplementary information must be filed within 30 days of the date you start using them. |
| Rating Plan Requirements | | |
| Rate modification plan rule | R590-121- Bulletin 96-7 | Establishes a maximum, total modification for any rating plans that fit the rules – to a +/- 25%. No exceptions |
| Policy Rating Principles | R590-127- Bulletin 96-7 | Experience Rating Plans, Rate Modification Plans, Schedule rating, Irpm plans, and Similar Plans Providing for Ranges of Rates, Tiered Rating, Unfair Discrimination, see Rule/Bulletin for details |

**Insurance Department
Review Requirements Checklist**

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| Tiered Rating | 31A-19a-214 | Tier Rating is permitted in Utah. However, we require the filing of the underwriting guidelines, which specify the criteria for placing a risk in a given tier. We also require actuarial data justifying the different tiers either by differences in expected losses and/or differences in expenses. This information is required to permit the department to determine that the tiers are not unfairly discriminatory. |
| Terrorism | | |
| Filings procedures for Terrorism forms, rates, and rules | Bulletin 2003-2 | Voluntary expedited filing procedures for compliance with the provisions of the terrorism risk insurance act of 2002. |
| General Filing References | | |
| Frequent problems found in filings | Bulletin 96-7 | See Bulletin |
| Claims made | Bulletin 86-5 | See Bulletin |
| Procedures for the submission of property and casualty Rate, Rule and Form filings | Rule R590-225 | See Rule |

**Commercial Umbrella
(17)**

| REVIEW REQUIREMENTS | REFERENCE | COMMENTS |
|--|----------------------------|---|
| FORMS | | |
| Applications | | |
| Incorporated by reference | 31A-21-106 | Except as provided in this subsection an insurance policy may not contain any agreement or incorporate any provision not fully set forth in the policy, in an application, or other document at the time of delivery |
| Arbitration | | |
| Binding | R590-122 – Bulletin 96-7 | Policies that contain a binding arbitration provision are permitted, however mandatory binding arbitration may preempt an insured's access to some courts. See actual rule for disclosure statement |
| Bankruptcy Provision | | |
| Provision of liability insurance | 31A-22-201 | Every liability insurance policy shall provide that the bankruptcy or insolvency of the insured may not diminish any liability of the insurer to third parties, and that if execution against the insured is returned unsatisfied, an action may be maintained against the insurer to the extent that the liability is covered by the policy. |
| Cancellation & Non-renewal | | |
| Terminations of insurance policies by insurers (Cancellations) | 31A-21-303 – Bulletin 96-7 | Non payment cancels need 10 days notice after delivery, Cancellation for acceptable grounds (see code for breakdown) need 30 days notice after delivery, Cancellation in the 1 st 60 days need a 10 day notice after delivery. |
| Terminations of insurance policies by insurers (Non-Renewals) | 31A-21-303 – Bulletin 96-7 | Non-renewal notices need 30 days notice, Renewals need no more than 45 days but no less than 14 days prior to the due date of the renewal premium (see code for requirements). If insurer offers or purports to renew the policy, but on less favorable terms or at higher rates, the new term or rates take effect on the renewal date when sent by first-class mail at least 30 days prior to expiration. |
| Filing Standards | | |
| Filing of forms | 31A-21-201- Rule R590-225 | File and Use – Forms cannot be inequitable, unfairly discriminatory, misleading, deceptive, obscure, unfair, encourages misrepresentation, or not in the public interest |
| Policies, applications & certificates | 31A-21-101 | (a) Delivered or issued for delivery in this state; (b) on property ordinarily located in this state; (c) on persons residing in this state when the policy is issued; and (d) on business operations in this state. |
| Punitive Damages | | |
| U/W limitations | 31A-20-101 – Bulletin 96-7 | No insurer may insure or attempt to insure against punitive damages. |
| Loss Settlement | | |
| Unfair claim settlement practices | 31A-26-303 | No insurer or person representing an insurer may engage in any unfair claim settlement practice. Claim settlement practices may not be misleading, deceptive, unfairly discriminatory, overreaching, or an unreasonable restraint on competition (see code for detailed unfair practices) |
| Notice and proof of loss | 31A-22-203, Bulletin 87-6 | This statutory provision, in effect, allows unlimited time period for filing notice and /or proof of loss – as long as the claimant shows it was not reasonably possible to file the notice and/or proof of loss within the time period. |
| Unfair Property, Liability & Title Claims Settlement | R590-190 | Minimum standards for the investigation and disposition of property, liability and title claims arising under contracts or certificates issued to residents of the State of Utah |
| RATING | | |
| Pricing | | |
| Rate Standards | 31A-19a-201, 31A-19a-202 | Rates may not be excessive, inadequate, or unfairly discriminatory. |
| Rating Plan Requirements | | |

**Insurance Department
Review Requirements Checklist**

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| Commercial Excess & Umbrella Liability Insurance | R590-127-8 | Rates and rating plans for commercial excess insurance and umbrella liability insurance are exempt from the filing requirements of 31A-19a-203 |
| Terrorism | | |
| Filings procedures for Terrorism forms, rates, and rules | Bulletin 2003-2 | Voluntary expedited filing procedures for compliance with the provisions of the terrorism risk insurance act of 2002. |
| General Filing References | | |
| Frequent problems found in filings | Bulletin 96-7 | See Bulletin |
| Claims made | Bulletin 86-5 | See Bulletin |
| Procedures for the submission of property and casualty Rate, Rule and Form filings | Rule R590-225 | See Rule |

**Professional Liability
(17)**

| REVIEW REQUIREMENTS | REFERENCE | COMMENTS |
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| FORMS | | |
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| Cancellation & Non-renewal | | |
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| Punitive Damages | | |
| U/W limitations | 31A-20-101– Bulletin 96-7 | No insurer may insure or attempt to insure against punitive damages/ |
| Loss Settlement | | |
| Unfair claim settlement practices | 31A-26-303 | No insurer or person representing an insurer may engage in any unfair claim settlement practice. Claim settlement practices may not be misleading, deceptive, unfairly discriminatory, overreaching, or an unreasonable restraint on competition (see code for detailed unfair practices) |
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| Rating Plan Requirements | | |

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Commercial Fire

(1)

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| Provision of liability insurance | 31A-22-201 | Every liability insurance policy shall provide that the bankruptcy or insolvency of the insured may not diminish any liability of the insurer to third parties, and that if execution against the insured is returned unsatisfied, an action may be maintained against the insurer to the extent that the liability is covered by the policy. |
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| Punitive Damages | | |
| U/W limitations | 31A-20-101– Bulletin 96-7 | No insurer may insure or attempt to insure against punitive damages |
| Loss Settlement | | |
| Unfair claim settlement practices | 31A-26-303 | No insurer or person representing an insurer may engage in any unfair claim settlement practice. Claim settlement practices may not be misleading, deceptive, unfairly discriminatory, overreaching, or an unreasonable restraint on competition (see code for detailed unfair practices) |
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|--|----------------------------|---|
| Unfair Property, Liability & Title Claims Settlement | R590-190 | Minimum standards for the investigation and disposition of property, liability and title claims arising under contracts or certificates issued to residents of the State of Utah |
| RATING | | |
| Pricing | | |
| Rate Standards | 31A-19a-201, 31A-19a-202 | Rates may not be excessive, inadequate, or unfairly discriminatory |
| Rate filings | 31A-19a-203, Rule R590-225 | All rates, all supplementary information, and all changes in amendments to rates and supplementary information must be filed within 30 days of the date you start using them. |
| Rating Plan Requirements | | |
| Rate modification plan rule | R590-121- Bulletin 96-7 | Establishes a maximum, total modification for any rating plans that fit the rules – to a +/- 25%. No exceptions |
| Policy Rating Principles | R590-127- Bulletin 96-7 | Experience Rating Plans, Rate Modification Plans, Schedule rating, Irpm plans, and Similar Plans Providing for Ranges of Rates, Tiered Rating, Unfair Discrimination, see Rule/Bulletin for details |
| Tiered Rating | 31A-19a-214 | Tier Rating is permitted in Utah. However, we require the filing of the underwriting guidelines, which specify the criteria for placing a risk in a given tier. We also require actuarial data justifying the different tiers either by differences in expected losses and/or differences in expenses. This information is required to permit the department to determine that the tiers are not unfairly discriminatory. |
| Terrorism | | |
| Filings procedures for Terrorism forms, rates, and rules | Bulletin 2003-2 | Voluntary expedited filing procedures for compliance with the provisions of the terrorism risk insurance act of 2002. |
| General Filing References | | |
| Frequent problems found in filings | Bulletin 96-7 | See Bulletin |
| Claims made | Bulletin 86-5 | See Bulletin |
| Procedures for the submission of property and casualty Rate, Rule and Form filings | Rule R590-225 | See Rule |

Commercial Multi Peril

(5)

| REVIEW REQUIREMENTS | REFERENCE | COMMENTS |
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| FORMS | | |
| Applications | | |
| Incorporated by reference | 31A-21-106 | Except as provided in this subsection an insurance policy may not contain any agreement or incorporate any provision not fully set forth in the policy, in an application, or other document at the time of delivery |
| Arbitration | | |
| Permissible Arbitration | R590-122 – Bulletin 96-7 | Policies that contain a binding arbitration provision are permitted, however mandatory binding arbitration may preempt an insured's access to some courts. See actual rule for disclosure statement |
| Bankruptcy Provision | | |
| Provision of liability insurance | 31A-22-201 | Every liability insurance policy shall provide that the bankruptcy or insolvency of the insured may not diminish any liability of the insurer to third parties, and that if execution against the insured is returned unsatisfied, an action may be maintained against the insurer to the extent that the liability is covered by the policy. |
| Cancellation & Non-renewal | | |
| Terminations of insurance policies by insurers (Cancellations) | 31A-21-303 – Bulletin 96-7 | Non payment cancels need 10 days notice after delivery, Cancellation for acceptable grounds (see code for breakdown) need 30 days notice after delivery, Cancellation in the 1 st 60 days need a 10 day notice after delivery. |
| Terminations of insurance policies by insurers (Non-Renewals) | 31A-21-303 – Bulletin 96-7 | Non-renewal notices need 30 days notice, Renewals need no more than 45 days but no less than 14 days prior to the due date of the renewal premium (see code for requirements). If insurer offers or purports to renew the policy, but on less favorable terms or at higher rates, the new term or rates take effect on the renewal date when sent by first-class mail at least 30 days prior to expiration. |
| Filing Standards | | |
| Filing of forms | 31A-21-201- Rule R590-225 | File and Use – Forms cannot be inequitable, unfairly discriminatory, misleading, deceptive, obscure, unfair, encourages misrepresentation, or not in the public interest |
| Policies, applications & certificates | 31A-21-101 | (a) Delivered or issued for delivery in this state; (b) on property ordinarily located in this state; (c) on persons residing in this state when the policy is issued; and (d) on business operations in this state. |
| Punitive Damages | | |
| U/W limitations | 31A-20-101– Bulletin 96-7 | No insurer may insure or attempt to insure against punitive damages |
| Loss Settlement | | |

Insurance Department Review Requirements Checklist

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|--|----------------------------|---|
| Unfair claim settlement practices | 31A-26-303 | No insurer or person representing an insurer may engage in any unfair claim settlement practice. Claim settlement practices may not be misleading, deceptive, unfairly discriminatory, overreaching, or an unreasonable restraint on competition (see code for detailed unfair practices) |
| Notice and proof of loss | 31A-22-203, Bulletin 87-6 | This statutory provision, in effect, allows unlimited time period for filing notice and /or proof of loss – as long as the claimant shows it was not reasonably possible to file the notice and/or proof of loss within the time period. |
| Unfair Property, Liability & Title Claims Settlement | R590-190 | Minimum standards for the investigation and disposition of property, liability and title claims arising under contracts or certificates issued to residents of the State of Utah |
| RATING | | Within 30 days of the date you start using them |
| Pricing | | |
| Rate Standards | 31A-19a-201, 31A-19a-202 | Rates may not be excessive, inadequate, or unfairly discriminatory |
| Rate filings | 31A-19a-203, Rule R590-225 | All rates, all supplementary information, and all changes in amendments to rates and supplementary information must be filed within 30 days of the date you start using them. |
| Rating Plan Requirements | | |
| Rate modification plan rule | R590-121- Bulletin 96-7 | Establishes a maximum, total modification for any rating plans that fit the rules – to a +/- 25%. No exceptions |
| Policy Rating Principles | R590-127- Bulletin 96-7 | Experience Rating Plans, Rate Modification Plans, Schedule rating, Irpm plans, and Similar Plans Providing for Ranges of Rates, Tiered Rating, Unfair Discrimination, see Rule/Bulletin for details |
| Tiered Rating | 31A-19a-214 | Tier Rating is permitted in Utah. However, we require the filing of the underwriting guidelines, which specify the criteria for placing a risk in a given tier. We also require actuarial data justifying the different tiers either by differences in expected losses and/or differences in expenses. This information is required to permit the department to determine that the tiers are not unfairly discriminatory. |
| Terrorism | | |
| Filings procedures for Terrorism forms, rates, and rules | Bulletin 2003-2 | Voluntary expedited filing procedures for compliance with the provisions of the terrorism risk insurance act of 2002. |
| General Filing References | | |
| Frequent problems found in filings | Bulletin 96-7 | See Bulletin |
| Claims made | Bulletin 86-5 | See Bulletin |
| Procedures for the submission of property and casualty Rate, Rule and Form filings | Rule R590-225 | See Rule |

Workers' Compensation (18)

| REVIEW REQUIREMENTS | REFERENCE | COMMENTS |
|----------------------------------|--------------------------|---|
| FORMS | | |
| Applications | | |
| Direct enforcement by employees | 31A-22-1004 | All policies, whether in whole or in part, by either the employer or the insurer, bars recovery by the employee or his dependents to the extent of the payment. |
| Payment as bar to recovery | 31A-22-1005 | All policies, whether in whole or in part, by either the employer or the insurer, bars recovery by the employee or his dependents to the extent of the payment. |
| Insurer's constructive knowledge | 31A-22-1006 | All policies shall contain a provision that, as between the employee and the insurer, notice to or knowledge of the occurrence of the injury on the part of the employer is considered to be notice or knowledge to the insurer. This provision shall also state that the insurer is bound and subject to the orders, findings, decisions, and awards rendered against the employer for the payment of compensation on account of compensable accidental injuries or occupational disease disability. |
| Arbitration | | |
| Permissible Arbitration | R590-122 – Bulletin 96-7 | Policies that contain a binding arbitration provision are permitted, however mandatory binding arbitration may preempt an insured's access to some courts. See actual rule for disclosure statement |
| | | |
| Bankruptcy Provision | | |
| Employer's insolvency | 31A-22-1007 | All Policies shall contain a provision that the insolvency of the employer and his discharge does not relieve the insurer from the payment of compensation for injuries or death sustained by an employee during the life of that policy or contract. |
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| Cancellation | | |

**Insurance Department
Review Requirements Checklist**

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| Duration of coverage | 31A-22-1002 – 34A-2-205 – 31A-33-113 | Cancellations must give 30 days notice to the policyholder and the Division of Industrial Accidents in the Labor Commission. |
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| | | |
| Filing Standards | | |
| Filing of forms | 31A-21-201- Rule R590-225 | File and Use – Forms cannot be inequitable, unfairly discriminatory, misleading, deceptive, obscure, unfair, encourages misrepresentation, or not in the public interest |
| Policies, applications & certificates | 31A-21-101 | (a) Delivered or issued for delivery in this state; (b) on property ordinarily located in this state; (c) on persons residing in this state when the policy is issued; and (d) on business operations in this state. |
| Loss Settlement | | |
| Waiver of subrogation | 34A-2-106 - Bulletin 99-8 | The Statute prohibits the insurer from unilaterally compromising the entire claim against the third part. It does not prevent the insurer from compromising its subrogation portion of the claim. The waiver is permissible as long as it does not affect the employee's rights. It should expressly exclude from release the employee's rights against the third party, and exclude from release the insurer's authority as trustee of the entire claim. |
| Unfair claim settlement practices | 31A-26-303 | No insurer or person representing an insurer may engage in any unfair claim settlement practice. Claim settlement practices may not be misleading, deceptive, unfairly discriminatory, overreaching, or an unreasonable restraint on competition (see code for detailed unfair practices) |
| RATING | | |
| Pricing | | |
| Filing of rates & other rating information | 31A-19a-405 | All workers' compensation rates, supplementary rate information, and supporting information shall be filed at least 30 days before the effective date of the rate or information. The loss and loss adjustment expense factors included in the rates filed shall be the prospective loss costs filed by the designated rate service organization |
| Rate Standards | 31A-19a-201, 31A-19a-202 | Rates may not be excessive, inadequate, or unfairly discriminatory |
| Rate filings | 31A-19a-203 - Rule R590-225 | All rates, all supplementary information, and all changes in amendments to rates and supplementary information must be filed 30 days before the date you start using them. |
| Rating Plan Requirements | | |
| Deductible Plans | 31A-22-1010 - Bulletin 92-7 | Are permitted under certain circumstances. Our definition of deductible plan is a plan that provides for the insured to participate in the payment of the insurance claims and losses covered by the policy. Under no circumstances will any plan be allowed to permit an insured to pay any amount directly. The only type that will be allowed is a "reimbursement" type of plan. |
| Rate modification plan rule | R590-121- Bulletin 96-7 | Establishes a maximum, total modification for any rating plans that fit the rules – to a +/- 25%. No exceptions |
| Policy Rating Principles | Bulletin 96-7 | Experience Rating Plans, Rate Modification Plans, Schedule rating, Irpm plans, and Similar Plans Providing for Ranges of Rates, Tiered Rating, Unfair Discrimination, see Bulletin for details |
| Tiered Rating | 31A-19a-214 | Tier Rating is permitted in Utah. However, we require the filing of the underwriting guidelines, which specify the criteria for placing a risk in a given tier. We also require actuarial data justifying the different tiers either by differences in expected losses and/or differences in expenses. This information is required to permit the department to determine that the tiers are not unfairly discriminatory. |
| Terrorism | | |
| Filings procedures for Terrorism forms, rates, and rules | Bulletin 2003-2 | Voluntary expedited filing procedures for compliance with the provisions of the terrorism risk insurance act of 2002. |
| General Filing References | | |
| Procedures for submission of Property and casualty rate, rule and form filings | Rule R590-225 | See Rule |

Homeowners

(4)

| REVIEW REQUIREMENTS | REFERENCE | COMMENTS |
|-----------------------------|--------------------------|--|
| FORMS | | |
| Applications | | |
| Incorporated by reference | 31A-21-106 | Except as provided in this subsection an insurance policy may not contain any agreement or incorporate any provision not fully set forth in the policy, in an application, or other document at the time of delivery |
| Arbitration | | |
| Permissible Arbitration | R590-122 – Bulletin 96-7 | Policies that contain a binding arbitration provision are permitted, however mandatory binding arbitration may preempt an insured's access to some courts. See actual rule for disclosure statement |
| Bankruptcy Provision | | |

Insurance Department Review Requirements Checklist

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|--|----------------------------|---|
| Provision of liability insurance | 31A-22-201 | Every liability insurance policy shall provide that the bankruptcy or insolvency of the insured may not diminish any liability of the insurer to third parties, and that if execution against the insured is returned unsatisfied, an action may be maintained against the insurer to the extent that the liability is covered by the policy. |
| Cancellation & Non-renewal | | |
| Terminations of insurance policies by insurers (Cancellations) | 31A-21-303 – Bulletin 96-7 | Non payment cancels need 10 days notice after delivery, Cancellation for acceptable grounds (see code for breakdown) need 30 days notice after delivery, Cancellation in the 1 st 60 days need a 10 day notice after delivery. |
| Terminations of insurance policies by insurers (Non-Renewals) | 31A-21-303 – Bulletin 96-7 | Non-renewal notices need 30 days notice, Renewals need no more than 45 days but no less than 14 days prior to the due date of the renewal premium (see code for requirements). If insurer offers or purports to renew the policy, but on less favorable terms or at higher rates, the new term or rates take effect on the renewal date when sent by first-class mail at least 30 days prior to expiration. |
| Filing Standards | | |
| Filing of forms | 31A-21-201- Rule R590-225 | File and Use – Forms cannot be inequitable, unfairly discriminatory, misleading, deceptive, obscure, unfair, encourages misrepresentation, or not in the public interest |
| Policies, applications & certificates | 31A-21-101 | (a) Delivered or issued for delivery in this state; (b) on property ordinarily located in this state; (c) on persons residing in this state when the policy is issued; and (d) on business operations in this state. |
| Punitive Damages | | |
| U/W limitations | 31A-20-101– Bulletin 96-7 | No insurer may insure or attempt to insure against punitive damages |
| Loss Settlement | | |
| Unfair claim settlement practices | 31A-26-303 | No insurer or person representing an insurer may engage in any unfair claim settlement practice. Claim settlement practices may not be misleading, deceptive, unfairly discriminatory, overreaching, or an unreasonable restraint on competition (see code for detailed unfair practices) |
| Notice and proof of loss | 31A-22-203, Bulletin 87-6 | This statutory provision, in effect, allows unlimited time period for filing notice and /or proof of loss – as long as the claimant shows it was not reasonably possible to file the notice and/or proof of loss within the time period. |
| Unfair Property, Liability & Title Claims Settlement | R590-190 | Minimum standards for the investigation and disposition of property, liability and title claims arising under contracts or certificates issued to residents of the State of Utah |
| RATING | | |
| Pricing | | |
| Rate Standards | 31A-19a-201, 31A-19a-202 | Rates may not be excessive, inadequate, or unfairly discriminatory |
| Rate filings | 31A-19a-203, Rule R590-225 | All rates, all supplementary information, and all changes in amendments to rates and supplementary information must be filed within 30 days of the date you start using them. |
| Rating Plan Requirements | | |
| Rate modification plan rule | R590-121- Bulletin 96-7 | Establishes a maximum, total modification for any rating plans that fit the rules – to a +/- 25%. No exceptions |
| Policy Rating Principles | R590-127- Bulletin 96-7 | Experience Rating Plans, Rate Modification Plans, Schedule rating, Irpm plans, and Similar Plans Providing for Ranges of Rates, Tiered Rating, Unfair Discrimination, see Rule/ Bulletin for details |
| Tiered Rating | 31A-19a-214 | Tier Rating is permitted in Utah. However, we require the filing of the underwriting guidelines, which specify the criteria for placing a risk in a given tier. We also require actuarial data justifying the different tiers either by differences in expected losses and/or differences in expenses. This information is required to permit the department to determine that the tiers are not unfairly discriminatory. |
| Terrorism | | |
| Not allowed on personal lines products | Bulletin 2003-2 | Terrorism exclusions are not allowed on personal lines products |
| General Filing References | | |
| Frequent problems found in filings | Bulletin 96-7 | See Bulletin |
| Claims made | Bulletin 86-5 | See Bulletin |
| Procedures for the submission of property and casualty Rate, Rule and Form filings | Rule R590-225 | See Rule |

**Insurance Department
Review Requirements Checklist
Private Passenger Auto
(19 & 21)**

| REVIEW REQUIREMENTS | REFERENCE | COMMENTS |
|--|------------------------------|---|
| FORMS | | |
| Applications | | |
| Incorporated by reference | 31A-21-106 | Except as provided in this subsection an insurance policy may not contain any agreement or incorporate any provision not fully set forth in the policy, in an application, or other document at the time of delivery |
| Arbitration | | |
| Permissible Arbitration | R590-122 – Bulletin 96-7 | Policies that contain a binding arbitration provision are permitted, however mandatory binding arbitration may preempt an insured's access to some courts. See actual rule for disclosure statement |
| Bankruptcy Provision | | |
| Provision of liability insurance | 31A-22-201 | Every liability insurance policy shall provide that the bankruptcy or insolvency of the insured may not diminish any liability of the insurer to third parties, and that if execution against the insured is returned unsatisfied, an action may be maintained against the insurer to the extent that the liability is covered by the policy. |
| Cancellation & Non-renewal | | |
| Terminations of insurance policies by insurers (Cancellations) | 31A-21-303 – Bulletin 96-7 | Non payment cancels need 10 days notice after delivery, Cancellation for acceptable grounds (see code for breakdown) need 30 days notice after delivery, Cancellation in the 1 st 60 days need a 10 day notice after delivery. |
| Terminations of insurance policies by insurers (Non-Renewals) | 31A-21-303 – Bulletin 96-7 | Non-renewal notices need 30 days notice, Renewals need no more than 45 days but no less than 14 days prior to the due date of the renewal premium (see code for requirements). If insurer offers or purports to renew the policy, but on less favorable terms or at higher rates, the new term or rates take effect on the renewal date when sent by first-class mail at least 30 days prior to expiration. |
| Filing Standards | | |
| Filing of forms | 31A-21-201- Rule R590-225 | File and Use – Forms cannot be inequitable, unfairly discriminatory, misleading, deceptive, obscure, unfair, encourages misrepresentation, or not in the public interest |
| Policies, applications & certificates | 31A-21-101 | (a) Delivered or issued for delivery in this state; (b) on property ordinarily located in this state; (c) on persons residing in this state when the policy is issued; and (d) on business operations in this state. |
| Financial Responsibility | | |
| Prior Insurance | R590-128 – Bulletin 96-7 | Unfair discrimination based solely on the failure to maintain Automobile ins. The underwriter must determine the reason for no prior insurance. If reason is legitimate and shows compliance with the financial responsibility law, the risk cannot be denied coverage or rated differently than someone with prior insurance. |
| Excluded Drivers | 31A-22-303-7 – Bulletin 96-7 | In general, Driver exclusion endorsements are not permissible in Utah. There are two acceptable cases; 1-a person who is a resident of the named insured's household, including a person who usually makes his home in the same household but temporarily lives elsewhere, if each person excluded from coverage satisfies the owner's or operator's security requirement of 41-12a-301. 2-If the driver to be excluded is insured elsewhere. |
| Credit Scoring | 31A-22-320 | Credit scoring may only be used for initial underwriting and must be in the form of a discount which cannot be removed or reduced. |
| Punitive Damages | | |
| U/W limitations | 31A-20-101– Bulletin 96-7 | No insurer may insure or attempt to insure against punitive damages |
| Loss Settlement | | |
| Unfair claim settlement practices | 31A-26-303 | No insurer or person representing an insurer may engage in any unfair claim settlement practice. Claim settlement practices may not be misleading, deceptive, unfairly discriminatory, overreaching, or an unreasonable restraint on competition (see code for detailed unfair practices) |
| Notice and proof of loss | 31A-22-203, Bulletin 87-6 | This statutory provision, in effect, allows unlimited time period for filing notice and /or proof of loss – as long as the claimant shows it was not reasonably possible to file the notice and/or proof of loss within the time period. |
| Unfair Property, Liability & Title Claims Settlement | R590-190 | Minimum standards for the investigation and disposition of property, liability and title claims arising under contracts or certificates issued to residents of the State of Utah |
| Coverage's | | |
| Bodily Injury – Property Damage | 31A-22-304 | Minimum limits – 25-50-15 (split) 65,000 (single) |
| Uninsured/Underinsured | 31A-22-305(5) | UM and are separate and distinct coverage's. Neither the coverage nor their limits may be combined. Both coverage's must be provided unless the insured rejects each coverage in writing. The coverage's are not contingent upon each other. One or both may be selected or rejected. |
| Uninsured motorist coverage | 31A-22-305(5) | Policy forms may not restrict the definition of "uninsured motor vehicle" to actual physical contact. |

**Insurance Department
Review Requirements Checklist**

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| Uninsured motorist coverage | 31A-22-305 | Minimum limits 25-50 split or 65,000 single – Insurer must offer limits equal to the Bodily injury limit. The insurer must provide a form by which the insured can acknowledge in writing – waives the higher coverage, reasonably explains the purpose of uninsured motorist coverage; and discloses the additional premiums required to purchase uninsured motorist coverage with limits equal to the lesser of the limits of the insured's motor vehicle liability coverage or the maximum uninsured motorist coverage limits available by the insurer under the insured's motor vehicle policy. This coverage may be rejected by acknowledging in writing on the form provided by the insurer, the form will also need to include a reasonable explanation of the purpose of uninsured motorist. |
| Uninsured motorist coverage | 31A-22-305 | Minimum limits 10-20 – Insurer must offer limits equal to the Bodily injury limit. The insurer must provide a form by which the insured can acknowledge in writing – waives the higher coverage, reasonably explains the purpose of underinsured motorist coverage; and discloses the additional premiums required to purchase underinsured motorist coverage with limits equal to the lesser of the limits of the insured's motor vehicle liability coverage or the maximum underinsured motorist coverage limits available by the insurer under the insured's motor vehicle policy. This coverage may be rejected by acknowledging in writing on the form provided by the insurer, the form will also need to include a reasonable explanation of the purpose of underinsured motorist. |
| Uninsured motorist property damage | 31A-22-305.5 | Insurer must provide UMPD if Collision is not provided. The limit is 3,500 or the motor vehicles ACV which ever is less. A \$250 deductible applies. This coverage may be rejected. |
| Personal Injury Protection | 31A-22-302-2 – 31A-22-306 31A-22-307 – 31A22-308 31A22-309 – Bulletin 99-1, 89-3, 96-8, | Coverage is mandatory and may not be rejected. Coverage may not be subject to a deductible. Coverage may not be limited to accidents occurring in Utah. |
| Work Loss | 31A-22-307-4(a)(b), Bulletin 96-7, 94-4 | The insured may waive for the named insured and the named insured's spouse only the loss of gross income benefits if the insured states in writing that; A-within 31 days of applying for coverage, neither the insured nor the insured's spouse received any earned income from regular employment; and B-for at least 180 days from the date of the writing and during the period of insurance, neither the insured nor the insured's spouse will receive earned income from regular employment. |
| RATING | | |
| Pricing | | |
| Rate Standards | 31A-19a-201, 31A-19a-202 | Rates may not be excessive, inadequate, or unfairly discriminatory |
| Rate filings | 31A-19a-203, Rule R590-225 | All rates, all supplementary information, and all changes in amendments to rates and supplementary information must be filed within 30 days of the date you start using them. |
| | | |
| Rating Plan Requirements | | |
| Rate modification plan rule | R590-121- Bulletin 96-7 | Establishes a maximum, total modification for any rating plans that fit the rules – to a +/- 25%. No exceptions |
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| Tiered Rating | 31A-19a-214 | Tier Rating is permitted in Utah. However, we require the filing of the underwriting guidelines, which specify the criteria for placing a risk in a given tier. We also require actuarial data justifying the different tiers either by differences in expected losses and/or differences in expenses. This information is required to permit the department to determine that the tiers are not unfairly discriminatory. |
| Not at Fault Accidents/Comprehensive losses | 31A-19a-212 | You may not use not at fault or comprehensive losses as a tiering criteria. |
| Terrorism | | |
| Not allowed on personal lines products | Bulletin 2003-2 | Terrorism exclusions are not allowed on personal lines products |
| General Filing References | | |
| Frequent problems found in filings | Bulletin 96-7 | See Bulletin |
| Claims made | Bulletin 86-5 | See Bulletin |
| Procedures for the submission of property and casualty Rate, Rule and Form filings | Rule R590-225 | See Rule |

**Dwelling Fire
(4)**

| REVIEW REQUIREMENTS | REFERENCE | COMMENTS |
|---------------------|-----------|----------|
| FORMS | | |
| Applications | | |

**Insurance Department
Review Requirements Checklist**

| | | |
|--|----------------------------|---|
| Incorporated by reference | 31A-21-106 | Except as provided in this subsection an insurance policy may not contain any agreement or incorporate any provision not fully set forth in the policy, in an application, or other document at the time of delivery |
| Arbitration | | |
| Bankruptcy Provision | | |
| Provision of liability insurance | 31A-22-201 | Every liability insurance policy shall provide that the bankruptcy or insolvency of the insured may not diminish any liability of the insurer to third parties, and that if execution against the insured is returned unsatisfied, an action may be maintained against the insurer to the extent that the liability is covered by the policy. |
| | | |
| Cancellation & Non-renewal | | |
| Terminations of insurance policies by insurers (Cancellations) | 31A-21-303 – Bulletin 96-7 | Non payment cancels need 10 days notice after delivery, Cancellation for acceptable grounds (see code for breakdown) need 30 days notice after delivery, Cancellation in the 1 st 60 days need a 10 day notice after delivery. |
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| Filing Standards | | |
| Filing of forms | 31A-21-201- Rule R590-225 | File and Use – Forms cannot be inequitable, unfairly discriminatory, misleading, deceptive, obscure, unfair, encourages misrepresentation, or not in the public interest |
| Policies, applications & certificates | 31A-21-101 | (a) Delivered or issued for delivery in this state; (b) on property ordinarily located in this state; (c) on persons residing in this state when the policy is issued; and (d) on business operations in this state. |
| Punitive Damages | | |
| U/W limitations | 31A-20-101– Bulletin 96-7 | No insurer may insure or attempt to insure against punitive damages |
| Loss Settlement | | |
| Unfair claim settlement practices | 31A-26-303 | No insurer or person representing an insurer may engage in any unfair claim settlement practice. Claim settlement practices may not be misleading, deceptive, unfairly discriminatory, overreaching, or an unreasonable restraint on competition (see code for detailed unfair practices) |
| Notice and proof of loss | 31A-22-203, Bulletin 87-6 | This statutory provision, in effect, allows unlimited time period for filing notice and /or proof of loss – as long as the claimant shows it was not reasonably possible to file the notice and/or proof of loss within the time period. |
| Unfair Property, Liability & Title Claims Settlement | R590-190 | Minimum standards for the investigation and disposition of property, liability and title claims arising under contracts or certificates issued to residents of the State of Utah |
| RATING | | |
| Pricing | | |
| Rate Standards | 31A-19a-201, 31A-19a-202 | Rates may not be excessive, inadequate, or unfairly discriminatory |
| Rate filings | 31A-19a-203, Rule R590-225 | All rates, all supplementary information, and all changes in amendments to rates and supplementary information must be filed within 30 days of the date you start using them. |
| Rating Plan Requirements | | |
| Rate modification plan rule | R590-121- Bulletin 96-7 | Establishes a maximum, total modification for any rating plans that fit the rules – to a +/- 25%. No exceptions |
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| Terrorism | | |
| Not allowed on personal lines products | Bulletin 2003-2 | Terrorism exclusions are not allowed on personal lines products |
| General Filing References | | |
| Frequent problems found in filings | Bulletin 96-7 | See Bulletin |
| Claims made | Bulletin 86-5 | See Bulletin |
| Procedures for the submission of property and casualty Rate, Rule and Form filings | Rule R590-225 | See Rule |

Insurance Department
Review Requirements Checklist
Farm
(3)

| REVIEW REQUIREMENTS | REFERENCE | COMMENTS |
|--|----------------------------|---|
| FORMS | | |
| Applications | | |
| Incorporated by reference | 31A-21-106 | Except as provided in this subsection an insurance policy may not contain any agreement or incorporate any provision not fully set forth in the policy, in an application, or other document at the time of delivery |
| Arbitration | | |
| Permissible Arbitration | R590-122 – Bulletin 96-7 | Policies that contain a binding arbitration provision are permitted, however mandatory binding arbitration may preempt an insured's access to some courts. See actual rule for disclosure statement |
| Bankruptcy Provision | | |
| Provision of liability insurance | 31A-22-201 | Every liability insurance policy shall provide that the bankruptcy or insolvency of the insured may not diminish any liability of the insurer to third parties, and that if execution against the insured is returned unsatisfied, an action may be maintained against the insurer to the extent that the liability is covered by the policy. |
| Cancellation & Non-renewal | | |
| Terminations of insurance policies by insurers (Cancellations) | 31A-21-303 – Bulletin 96-7 | Non payment cancels need 10 days notice after delivery, Cancellation for acceptable grounds (see code for breakdown) need 30 days notice after delivery, Cancellation in the 1 st 60 days need a 10 day notice after delivery. |
| Terminations of insurance policies by insurers (Non-Renewals) | 31A-21-303 – Bulletin 96-7 | Non-renewal notices need 30 days notice, Renewals need no more than 45 days but no less than 14 days prior to the due date of the renewal premium (see code for requirements). If insurer offers or purports to renew the policy, but on less favorable terms or at higher rates, the new term or rates take effect on the renewal date when sent by first-class mail at least 30 days prior to expiration. |
| Filing Standards | | |
| Filing of forms | 31A-21-201- Rule R590-225 | File and Use – Forms cannot be inequitable, unfairly discriminatory, misleading, deceptive, obscure, unfair, encourages misrepresentation, or not in the public interest |
| Policies, applications & certificates | 31A-21-101 | (a) Delivered or issued for delivery in this state; (b) on property ordinarily located in this state; (c) on persons residing in this state when the policy is issued; and (d) on business operations in this state. |
| Punitive Damages | | |
| U/W limitations | 31A-20-101– Bulletin 96-7 | No insurer may insure or attempt to insure against punitive damages |
| Loss Settlement | | |
| Unfair claim settlement practices | 31A-26-303 | No insurer or person representing an insurer may engage in any unfair claim settlement practice. Claim settlement practices may not be misleading, deceptive, unfairly discriminatory, overreaching, or an unreasonable restraint on competition (see code for detailed unfair practices) |
| Notice and proof of loss | 31A-22-203, Bulletin 87-6 | This statutory provision, in effect, allows unlimited time period for filing notice and /or proof of loss – as long as the claimant shows it was not reasonably possible to file the notice and/or proof of loss within the time period. |
| Unfair Property, Liability & Title Claims Settlement | R590-190 | Minimum standards for the investigation and disposition of property, liability and title claims arising under contracts or certificates issued to residents of the State of Utah |
| RATING | | |
| Pricing | | |
| Rate Standards | 31A-19a-201, 31A-19a-202 | Rates may not be excessive, inadequate, or unfairly discriminatory |
| Rate filings | 31A-19a-203, Rule R590-225 | All rates, all supplementary information, and all changes in amendments to rates and supplementary information must be filed within 30 days of the date you start using them. |
| Rating Plan Requirements | | |
| Rate modification plan rule | R590-121- Bulletin 96-7 | Establishes a maximum, total modification for any rating plans that fit the rules – to a +/- 25%. No exceptions |
| Policy Rating Principles | R590-127- Bulletin 96-7 | Experience Rating Plans, Rate Modification Plans, Schedule rating, Irpm plans, and Similar Plans Providing for Ranges of Rates, Tiered Rating, Unfair Discrimination, see Rule/ Bulletin for details |
| Tiered Rating | 31A-19a-214 | Tier Rating is permitted in Utah. However, we require the filing of the underwriting guidelines, which specify the criteria for placing a risk in a given tier. We also require actuarial data justifying the different tiers either by differences in expected losses and/or differences in expenses. This information is required to permit the department to determine that the tiers are not unfairly discriminatory. |
| Terrorism | | |
| Not allowed on personal lines products | Bulletin 2003-2 | Terrorism exclusions are not allowed on personal lines products |
| General Filing References | | |
| Frequent problems found in filings | Bulletin 96-7 | See Bulletin |
| Claims made | Bulletin 86-5 | See Bulletin |

**Insurance Department
Review Requirements Checklist**

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| Procedures for the submission of property and casualty Rate, Rule and Form filings | Rule R590-225 | See Rule |
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Personal Inland Marine

(9)

| REVIEW REQUIREMENTS | REFERENCE | COMMENTS |
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| FORMS | | |
| Applications | | |
| Incorporated by reference | 31A-21-106 | Except as provided in this subsection an insurance policy may not contain any agreement or incorporate any provision not fully set forth in the policy, in an application, or other document at the time of delivery |
| Arbitration | | |
| Permissible Arbitration | R590-122 – Bulletin 96-7 | Policies that contain a binding arbitration provision are permitted, however mandatory binding arbitration may preempt an insured's access to some courts. See actual rule for disclosure statement |
| Bankruptcy Provision | | |
| Provision of liability insurance | 31A-22-201 | Every liability insurance policy shall provide that the bankruptcy or insolvency of the insured may not diminish any liability of the insurer to third parties, and that if execution against the insured is returned unsatisfied, an action may be maintained against the insurer to the extent that the liability is covered by the policy. |
| Cancellation & Non-renewal | | |
| Terminations of insurance policies by insurers (Cancellations) | 31A-21-303 – Bulletin 96-7 | Non payment cancels need 10 days notice after delivery, Cancellation for acceptable grounds (see code for breakdown) need 30 days notice after delivery, Cancellation in the 1 st 60 days need a 10 day notice after delivery. |
| Terminations of insurance policies by insurers (Non-Renewals) | 31A-21-303 – Bulletin 96-7 | Non-renewal notices need 30 days notice, Renewals need no more than 45 days but no less than 14 days prior to the due date of the renewal premium (see code for requirements). If insurer offers or purports to renew the policy, but on less favorable terms or at higher rates, the new term or rates take effect on the renewal date when sent by first-class mail at least 30 days prior to expiration. |
| Filing Standards | | |
| Filing of forms | 31A-21-201- Rule R590-225 | File and Use – Forms cannot be inequitable, unfairly discriminatory, misleading, deceptive, obscure, unfair, encourages misrepresentation, or not in the public interest |
| Policies, applications & certificates | 31A-21-101 | (a) Delivered or issued for delivery in this state; (b) on property ordinarily located in this state; (c) on persons residing in this state when the policy is issued; and (d) on business operations in this state. |
| Punitive Damages | | |
| U/W limitations | 31A-20-101– Bulletin 96-7 | No insurer may insure or attempt to insure against punitive damages |
| Loss Settlement | | |
| Unfair claim settlement practices | 31A-26-303 | No insurer or person representing an insurer may engage in any unfair claim settlement practice. Claim settlement practices may not be misleading, deceptive, unfairly discriminatory, overreaching, or an unreasonable restraint on competition (see code for detailed unfair practices) |
| Notice and proof of loss | 31A-22-203, Bulletin 87-6 | This statutory provision, in effect, allows unlimited time period for filing notice and /or proof of loss – as long as the claimant shows it was not reasonably possible to file the notice and/or proof of loss within the time period. |
| Unfair Property, Liability & Title Claims Settlement | R590-190 | Minimum standards for the investigation and disposition of property, liability and title claims arising under contracts or certificates issued to residents of the State of Utah |
| RATING | | |
| Pricing | | |
| Rate Standards | 31A-19a-201, 31A-19a-202 | Rates may not be excessive, inadequate, or unfairly discriminatory |
| Rate filings | 31A-19a-203, Rule R590-225 | All rates, all supplementary information, and all changes in amendments to rates and supplementary information must be filed within 30 days of the date you start using them. |
| Rating Plan Requirements | | |
| Rate modification plan rule | R590-121- Bulletin 96-7 | Establishes a maximum, total modification for any rating plans that fit the rules – to a +/- 25%. No exceptions |
| Policy Rating Principles | R590-127- Bulletin 96-7 | Experience Rating Plans, Rate Modification Plans, Schedule rating, Irpm plans, and Similar Plans Providing for Ranges of Rates, Tiered Rating, Unfair Discrimination, see Rule/Bulletin for details |
| Tiered Rating | 31A-19a-214 | Tier Rating is permitted in Utah. However, we require the filing of the underwriting guidelines, which specify the criteria for placing a risk in a given tier. We also require actuarial data justifying the different tiers either by differences in expected losses and/or differences in expenses. This information is required to permit the department to determine that the tiers are not unfairly discriminatory. |

**Insurance Department
Review Requirements Checklist**

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| Terrorism | | |
| Not allowed on personal lines products | Bulletin 2003-2 | Terrorism exclusions are not allowed on personal lines products |
| General Filing References | | |
| Frequent problems found in filings | Bulletin 96-7 | See Bulletin |
| Claims made | Bulletin 86-5 | See Bulletin |
| Procedures for the submission of property and casualty Rate, Rule and Form filings | Rule R590-225 | See Rule |

**Personal Umbrella
(9)**

| REVIEW REQUIREMENTS | REFERENCE | COMMENTS |
|--|----------------------------|---|
| FORMS | | |
| Applications | | |
| Incorporated by reference | 31A-21-106 | Except as provided in this subsection an insurance policy may not contain any agreement or incorporate any provision not fully set forth in the policy, in an application, or other document at the time of delivery |
| Arbitration | | |
| Permissible Arbitration | R590-122 – Bulletin 96-7 | Policies that contain a binding arbitration provision are permitted, however mandatory binding arbitration may preempt an insured's access to some courts. See actual rule for disclosure statement |
| Bankruptcy Provision | | |
| Provision of liability insurance | 31A-22-201 | Every liability insurance policy shall provide that the bankruptcy or insolvency of the insured may not diminish any liability of the insurer to third parties, and that if execution against the insured is returned unsatisfied, an action may be maintained against the insurer to the extent that the liability is covered by the policy. |
| Cancellation & Non-renewal | | |
| Terminations of insurance policies by insurers (Cancellations) | 31A-21-303 – Bulletin 96-7 | Non payment cancels need 10 days notice after delivery, Cancellation for acceptable grounds (see code for breakdown) need 30 days notice after delivery, Cancellation in the 1 st 60 days need a 10 day notice after delivery. |
| Terminations of insurance policies by insurers (Non-Renewals) | 31A-21-303 – Bulletin 96-7 | Non-renewal notices need 30 days notice, Renewals need no more than 45 days but no less than 14 days prior to the due date of the renewal premium (see code for requirements). If insurer offers or purports to renew the policy, but on less favorable terms or at higher rates, the new term or rates take effect on the renewal date when sent by first-class mail at least 30 days prior to expiration. |
| Filing Standards | | |
| Filing of forms | 31A-21-201- Rule R590-225 | File and Use – Forms cannot be inequitable, unfairly discriminatory, misleading, deceptive, obscure, unfair, encourages misrepresentation, or not in the public interest |
| Policies, applications & certificates | 31A-21-101 | (a) Delivered or issued for delivery in this state; (b) on property ordinarily located in this state; (c) on persons residing in this state when the policy is issued; and (d) on business operations in this state. |
| Punitive Damages | | |
| U/W limitations | 31A-20-101– Bulletin 96-7 | No insurer may insure or attempt to insure against punitive damages |
| Loss Settlement | | |
| Unfair claim settlement practices | 31A-26-303 | No insurer or person representing an insurer may engage in any unfair claim settlement practice. Claim settlement practices may not be misleading, deceptive, unfairly discriminatory, overreaching, or an unreasonable restraint on competition (see code for detailed unfair practices) |
| Notice and proof of loss | 31A-22-203, Bulletin 87-6 | This statutory provision, in effect, allows unlimited time period for filing notice and /or proof of loss – as long as the claimant shows it was not reasonably possible to file the notice and/or proof of loss within the time period. |
| Unfair Property, Liability & Title Claims Settlement | R590-190 | Minimum standards for the investigation and disposition of property, liability and title claims arising under contracts or certificates issued to residents of the State of Utah |
| RATING | | |
| Pricing | | |
| Rate Standards | 31A-19a-201, 31A-19a-202 | Rates may not be excessive, inadequate, or unfairly discriminatory |
| Rate filings | 31A-19a-203, Rule R590-225 | All rates, all supplementary information, and all changes in amendments to rates and supplementary information must be filed within 30 days of the date you start using them. |
| Rating Plan Requirements | | |
| Rate modification plan rule | R590-121- Bulletin 96-7 | Establishes a maximum, total modification for any rating plans that fit the rules – to a +/- 25%. No exceptions |

**Insurance Department
Review Requirements Checklist**

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| Policy Rating Principles | R590-127- Bulletin 96-7 | Experience Rating Plans, Rate Modification Plans, Schedule rating, Irpm plans, and Similar Plans Providing for Ranges of Rates, Tiered Rating, Unfair Discrimination, see Rule/ Bulletin for details |
| Tiered Rating | 31A-19a-214 | Tier Rating is permitted in Utah. However, we require the filing of the underwriting guidelines, which specify the criteria for placing a risk in a given tier. We also require actuarial data justifying the different tiers either by differences in expected losses and/or differences in expenses. This information is required to permit the department to determine that the tiers are not unfairly discriminatory. |
| Terrorism | | |
| Not allowed on personal lines products | Bulletin 2003-2 | Terrorism exclusions are not allowed on personal lines products |
| General Filing References | | |
| Frequent problems found in filings | Bulletin 96-7 | See Bulletin |
| Claims made | Bulletin 86-5 | See Bulletin |
| Procedures for the submission of property and casualty Rate, Rule and Form filings | Rule R590-225 | See Rule |

**Title
(34)**

| REVIEW REQUIREMENTS | REFERENCE | COMMENTS |
|--|----------------------------|---|
| FORMS | | |
| Applications | | |
| Incorporated by reference | 31A-21-106 | Except as provided in this subsection an insurance policy may not contain any agreement or incorporate any provision not fully set forth in the policy, in an application, or other document at the time of delivery |
| Arbitration | | |
| Permissible Arbitration | R590-122 – Bulletin 96-7 | Policies that contain a binding arbitration provision are permitted, however mandatory binding arbitration may preempt an insured's access to some courts. See actual rule for disclosure statement |
| Bankruptcy Provision | | |
| Provision of liability insurance | 31A-22-201 | Every liability insurance policy shall provide that the bankruptcy or insolvency of the insured may not diminish any liability of the insurer to third parties, and that if execution against the insured is returned unsatisfied, an action may be maintained against the insurer to the extent that the liability is covered by the policy. |
| Cancellation & Non-renewal | | |
| Terminations of insurance policies by insurers (Cancellations) | 31A-21-303 – Bulletin 96-7 | Non payment cancels need 10 days notice after delivery, Cancellation for acceptable grounds (see code for breakdown) need 30 days notice after delivery, Cancellation in the 1 st 60 days need a 10 day notice after delivery. |
| Terminations of insurance policies by insurers (Non-Renewals) | 31A-21-303 – Bulletin 96-7 | Non-renewal notices need 30 days notice, Renewals need no more than 45 days but no less than 14 days prior to the due date of the renewal premium (see code for requirements). If insurer offers or purports to renew the policy, but on less favorable terms or at higher rates, the new term or rates take effect on the renewal date when sent by first-class mail at least 30 days prior to expiration. |
| Filing Standards | | |
| Filing of forms | 31A-21-201- Rule R590-225 | File and Use – Forms cannot be inequitable, unfairly discriminatory, misleading, deceptive, obscure, unfair, encourages misrepresentation, or not in the public interest |
| Policies, applications & certificates | 31A-21-101 | (a) Delivered or issued for delivery in this state; (b) on property ordinarily located in this state; (c) on persons residing in this state when the policy is issued; and (d) on business operations in this state. |
| Punitive Damages | | |
| U/W limitations | 31A-20-101– Bulletin 96-7 | No insurer may insure or attempt to insure against punitive damages |
| Loss Settlement | | |
| Unfair claim settlement practices | 31A-26-303 | No insurer or person representing an insurer may engage in any unfair claim settlement practice. Claim settlement practices may not be misleading, deceptive, unfairly discriminatory, overreaching, or an unreasonable restraint on competition (see code for detailed unfair practices) |
| Unfair Property, Liability & Title Claims Settlement | R590-190 | Minimum standards for the investigation and disposition of property, liability and title claims arising under contracts or certificates issued to residents of the State of Utah |
| Notice and proof of loss | 31A-22-203, Bulletin 87-6 | This statutory provision, in effect, allows unlimited time period for filing notice and /or proof of loss – as long as the claimant shows it was not reasonably possible to file the notice and/or proof of loss within the time period. |
| RATING | | |
| Pricing | | |
| Rate Standards | 31A-19a-201, 31A-19a-202, | Rates may not be excessive, inadequate, or unfairly discriminatory |

**Insurance Department
Review Requirements Checklist**

| | | |
|--|----------------------------|---|
| Rate filings | 31A-19a-203, Rule R590-225 | All rates, all supplementary information, and all changes in amendments to rates and supplementary information must be filed within 30 days of the date you start using them. |
| Special Provisions for Title Insurance | 31A-19a-209 | Special rating issues that pertain to title insurers only |
| Rating Plan Requirements | | |
| Rate modification plan rule | Bulletin 96-7 | Establishes a maximum, total modification for any rating plans that fit the rules – to a +/- 25%. No exceptions |
| Policy Rating Principles | Bulletin 96-7 | Experience Rating Plans, Rate Modification Plans, Schedule rating, Irpm plans, and Similar Plans Providing for Ranges of Rates, Tiered Rating, Unfair Discrimination, see Bulletin for details |
| Tiered Rating | 31A-19a-214 | Tier Rating is permitted in Utah. However, we require the filing of the underwriting guidelines, which specify the criteria for placing a risk in a given tier. We also require actuarial data justifying the different tiers either by differences in expected losses and/or differences in expenses. This information is required to permit the department to determine that the tiers are not unfairly discriminatory. |
| Terrorism | | |
| Not allowed on Title Insurance | Bulletin 2003-2 | Terrorism exclusions are not allowed for Title Insurance |
| General Filing References | | |
| Frequent problems found in filings | Bulletin 96-7 | See Bulletin |
| Claims made | Bulletin 86-5 | See Bulletin |
| Procedures for the submission of property and casualty Rate, Rule and Form filings | Rule R590-225 | See Rule |

Warranty/Service Contracts

| REVIEW REQUIREMENTS | REFERENCE | COMMENTS |
|--|---|--|
| FORMS | | |
| Applications | | |
| Incorporated by reference | 31A-21-106 | Except as provided in this subsection an insurance policy may not contain any agreement or incorporate any provision not fully set forth in the policy, in an application, or other document at the time of delivery |
| Arbitration | | |
| Permissible Arbitration | R590-122 – Bulletin 96-7 | Policies that contain a binding arbitration provision are permitted, however mandatory binding arbitration may preempt an insured's access to some courts. See actual rule for disclosure statement |
| Bankruptcy Provision | | |
| Failure to Perform | 31A-6a-104 | All service contract reimbursement insurance policies insuring service contracts issued, sold, or offered for sale in this state must conspicuously state that, upon failure of the provider to perform under the contract, the issuer of the policy shall pay on behalf of the provider any sums the provider is legally obligated to pay or shall provide the service which the provider is legally obligated to perform, according to the provider's contractual obligations under the service contracts issued or sold by the provider. |
| Cancellation & Non-renewal | | |
| Terminations of insurance policies by insurers (Cancellations) | 31A-6a-104(10) - 31A-21-303 – Bulletin 96-7 | Non payment cancels need 10 days notice after delivery, Cancellation for acceptable grounds (see code for breakdown) need 30 days notice after delivery, Cancellation in the 1 st 60 days need a 10 day notice after delivery. |
| Terminations of insurance policies by insurers (Non-Renewals) | 31A-6a-104(10) - 31A-21-303 – Bulletin 96-7 | Non-renewal notices need 30 days notice, Renewals need no more than 45 days but no less than 14 days prior to the due date of the renewal premium (see code for requirements). If insurer offers or purports to renew the policy, but on less favorable terms or at higher rates, the new term or rates take effect on the renewal date when sent by first-class mail at least 30 days prior to expiration. |
| Filing Standards | | |
| Filing of forms | 31A-6a-103- Rule R590-225 | Service contracts may not be issued, sold, or offered for sale unless a true and correct copy of the service contract and the provider's reimbursement insurance policy have been filed with the commissioner. Copies of contracts and policies must be filed no less than 30 days prior to the issuance, sale offering for sale, or use of the service contract or reimbursement insurance policy in this state. Each modification of the terms of any service contract or reimbursement insurance policy must also be filed 30 days prior to its use in this state. Each filing must be accompanied by a filing fee as required under Subsection 31A-3-103 , or the filing shall be rejected. |
| Punitive Damages | | |
| U/W limitations | 31A-20-101– Bulletin 96-7 | No insurer may insure or attempt to insure against punitive damages |
| Loss Settlement | | |

**Insurance Department
Review Requirements Checklist**

| | | |
|--|---------------------------|---|
| Unfair claim settlement practices | 31A-26-303 | No insurer or person representing an insurer may engage in any unfair claim settlement practice. Claim settlement practices may not be misleading, deceptive, unfairly discriminatory, overreaching, or an unreasonable restraint on competition (see code for detailed unfair practices) |
| Unfair Property, Liability & Title Claims Settlement | R590-190 | Minimum standards for the investigation and disposition of property, liability and title claims arising under contracts or certificates issued to residents of the State of Utah |
| Notice and proof of loss | 31A-22-203, Bulletin 87-6 | This statutory provision, in effect, allows unlimited time period for filing notice and /or proof of loss – as long as the claimant shows it was not reasonably possible to file the notice and/or proof of loss within the time period. |
| RATING | | |
| Pricing | | |
| Rate Standards | 31A-6a-103 | Rates are exempt from filing |
| General Filing References | | |
| Procedures for the submission of property and casualty Rate, Rule and Form filings | Rule R590-225 | See Rule |

Bail Bonds

| REVIEW REQUIREMENTS | REFERENCE | COMMENTS |
|--|----------------------------|--|
| FORMS | | |
| Applications | | |
| Incorporated by reference | 31A-21-106 | Except as provided in this subsection an insurance policy may not contain any agreement or incorporate any provision not fully set forth in the policy, in an application, or other document at the time of delivery |
| Arbitration | | |
| Permissible Arbitration | R590-122 – Bulletin 96-7 | Policies that contain a binding arbitration provision are permitted, however mandatory binding arbitration may preempt an insured's access to some courts. See actual rule for disclosure statement |
| Bond Revocation | | |
| Grounds to revoke a bond | 31A-35-702 – Rule R590-196 | The bail or bail bond premium shall be returned in full if a bail bond producer without good cause. See the code sites given for a list of “good causes”. |
| Filing Standards | | |
| Filing of forms | 31A-35-607 - Rule R590-225 | In accordance with section 31A-21-201, each bail bond surety shall file with the commissioner a sample copy of each form the bail bond surety uses in the bail bond surety's bail bond business. |
| General Filing References | | |
| Procedures for the submission of property and casualty Rate, Rule and Form filings | Rule R590-225 | See Rule |